

CITY OF KUNA PLANNING & ZONING COMMISSION

MEETING MINUTES Tuesday, May 23, 2017

PZ COMMISSION MEMBER	PRESENT	CITY STAFF PRESENT:	PRESENT
Chairman Lee Young	X	Wendy Howell, Planning Director	Absent
Commissioner Dana Hennis	Absent	Troy Behunin, Senior Planner	X
Commissioner Cathy Gealy	X	Trevor Kesner, Planner II	X
Commissioner Stephen Damron	X	Jace Hellman, Planner I	X
Commissioner John Laraway	Absent		

6:00 pm – COMMISSION MEETING & PUBLIC HEARING

Chairman Young called the meeting to order at 6:00 pm.

Call to Order and Roll Call

1. CONSENT AGENDA

- a) Planning and Zoning Commission meeting minutes for May 23, 2017.

Commissioner Gealy motions to approve the consent agenda; Commissioner Damron Seconds, all aye and motion carried 3-0.

2. NEW BUSINESS

- a) **17-01-SUP** (Special Use Permit) – Patricia Downum, Kuna Kave Kids: The applicant is seeking SUP approval for a Childcare Center use at 763 W. Avalon in Kuna, Idaho.

Patricia Downum: My name is Patty Downum, I am the owner of Kuna Kave Kids Day Care. I established it in 2003 at home and then we moved just down here on 4th where we purchased an old house that we turned into a center. We would like to expand to a new building over in the old city hall on Avalon. We have so many kids coming into the city and everyone is full and we have people saying can't you take them and we can't we are full, and they are hearing that from all the daycares. It would bring more jobs here locally, so if I moved there I would be hiring ten just to start, new employees. **C/Young:** Okay, any questions for the applicant as this point? **C/Gealy:** I just had one quick question, at least in the report it said you would be open Monday through Friday? **Patricia Downum:** Correct. **C/Gealy:** 6am to 6pm, do you anticipate being open on the weekends or later in the evening? **Patricia Downum:** Nope. **C/Young:** Okay, thank you. Then, Trevor come on up. **Trevor Kesner:** Chairman Young, Commissioners, the applicant Patty Downum you just heard from is the owner of Kuna Kaves Kids daycare center, as she stated and as reflected in the staff report they propose to operate a child care center within the existing commercial building located at 763 W Avalon, obviously, that's the old city hall its 1.292 acres. The subject site is fully improved with sidewalks abutting the site. It has a paved parking area with handicap stalls and appropriate drainage facilities. The applicant proposes to care for more than 36 children at any one time, I don't know what the threshold is, I would imagine that is probably just the occupancy of the building, so we will probably have to defer to her for how many kids she anticipates serving. The applicant has submitted all of the necessary childcare licensing documents from health and welfare. She is already with Central District Health Department on Site. I had a conversation with Kuna fire district. Obviously, a certificate of occupancy exists for the building already, however some modifications for safety will need to be made for

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childcare center requirements. The applicant will permit with the city to make any of those recommended modifications for tenant improvement, as suggested by the Central District Health Department, Kuna Fire District, or our building department, either or. Property owners were notified within 300 feet about this, and staff did not receive any responses, the city engineer didn't really have any site recommendations for required improvements and ACHD has no frontage requirements, it is likely the applicant will not be subject to any additional impact fees, because I was told that those were based on the size of the structure and since that's not increasing, I don't see how additional impact fees would be necessary, but ACHD is the authority on that, so we will defer to them. Planning and Zoning concludes that it complies with Chapter 3, Title 5 of Kuna City Code for childcare centers and zoning regulations. The project provides for certain goals and policies within Kuna's Comprehensive Plan as noted in the staff report. Staff forwards a recommendation of approval to the Commission with the conditions as stated and any additional conditions you may see as necessary for the child care center. With that, I will stand for questions. **C/Damron:** Does staff has any concerns for the affluent of water, I am not sure what is rated for when it went it, but I am sure that is going to raise it up. **Trevor Kesner:** The affluent? **C/Damron:** Yeah for the toilets and the water system. **Trevor Kesner:** The city engineer would likely make a recommendation on an increased cost for equivalent dwelling units for the site. I would imagine that the city engineer when we sent out agency requests for comments. I don't know that the amount of toilet flushing going on is going to be significantly increased. There are no new bathroom facilities proposed, but I don't have any comments from the city engineer of an Increased EDU Charge for that. **C/Gealy:** Do you have any information on outside play area, where it would be? **Trevor Kesner:** The applicant has indicated that the existing backyard, which is also utilized, somewhat utilized by an additional tenant in the building for some storage and loading and unloading facilities back there. She has stated that she is going to install a vinyl fence around that play area so it would be completely screened, and completely enclosed from the adjacent uses. I believe that is in the staff report in the site plan that was submitted. If it is not we can certainly ask the applicant to verify that that is the plan. **C/Gealy:** I have no other questions. **C/Young:** Okay, then we will go ahead and open up the public testimony at 6:13 PM and I don't see anybody up to testify, I do have one signed in favor but not to testify, is there anybody who would like to testify that is not signed in? seeing none I will go ahead and close public testimony at 6:14, which then brings up our discussion and for me I don't know that I have any concerns, I think that the site is great, accessible from two different streets. **C/Damron:** I don't see anything. **C/Young:** Covered entryway, I don't know how much more you would want for a daycare. Any other thoughts. **C/Gealy:** If the applicant could approach again, I am curious about where you plan to have your outside area. **Patricia Downum:** I have diagram that I'll show. So, this is where you enter and there is a gate here. ****Inaudible** C/Gealy:** and then you would have access. **Patricia Downum: **Inaudible** C/Gealy:** Okay, Thank you. **C/Young:** Okay thank you. Anything else?

Commissioner Gealy motions to approve Case No. 17-01-SUP (Special Use Permit) for Kuna Kave Kids Daycare with the conditions outlined in the staff report and testimony; Commissioner Damron Seconds, all aye and motion carried 3-0.

- b) **17-02-S** (Subdivision) and **17-06-DR** (Design Review) – Sailer Shores Meadows Subdivision #2: A preliminary plat and design review request from Thomas Maile to subdivide an approximately 1.78-acre site in an existing R-6 zone into eight (8) residential building lots and three (3) common lots. The site is located approximately 600 feet south of the intersection of Kuna Road and South Sailer Place, addressed as 245 S. Sailer Place, Kuna, Idaho.

Thomas Maile: Good evening Chairman Young and other Commissioners of P&Z my name is Tom Maile I reside at 885 W Rush Road in Eagle and I was one of the principals involved in the Sailer Shores Meadows #1 which adjoins the current project. I think you packet probably includes the site development plan

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drafted by B&A engineering showing the lot configuration, the road layout. I think it speaks rather well for the city of Kuna, the first phase we had 26 lots so we had five either under construction and or sold and the demand has been very high and it speaks well for the city of Kuna and the location we are at just off of sailer place. We have been using Hayden Homes Subsidiary Simplicity Homes and I think they make a very good product, I don't know if any of you have seen the new construction in sailer shores meadows but we have been very pleased with their construction, the quality of their work and of course the demand is very high. We anticipate the same sort of approach on sailer shores meadows 2 and of course we will work in conjunction with the city engineer and the planning staff to make sure we have all of our eyes and crossed out T's. So, we are looking forward to doing phase two. If you have any questions, it is still early in the evening, I think I can answer them. **C/Young:** any questions for the applicant at this time. **C/Gealy:** I have no questions at this time. **C/Damron:** None at this time. **C/Young:** Okay. **Trevor Kesner:** Chairman Young and Commissioners Trevor Kesner, Planning Staff 751 W 4th Street. The application before you tonight seeks preliminary plat approval for the sailer shores meadows subdivision preliminary plat. As stated in the staff report, the applicant proposes 8 single family home lots and 3 common lots which consists of approximately 8.6% of the 1.78-acre site. The development will provide improvements and connections to the existing improvements constructed for the first sailer shores meadows development on sailer place. Sailer Shores Meadows #2 will be built in a single phase. The applicant has submitted all of the required documents for this preliminary plat, and design review request and the subject site is already zoned R-6 which is appropriate for the development. Property owners within 300 feet of the site were mailed notice of tonight's hearing on April 21st and the site posting was placed to reflect tonight's hearing date on April 27th. The hearing notification was also published in Kuna, Melba News on April 26th and the City Engineer has provided recommendations for any modifications to the submitted construction plans. Based on staff's review of the application, staff concludes that the application complies with title 6 of Kuna City Code and provides for a number of goals and objectives for private property rights, land use, transportation and connectivity, housing and community design within Kuna's Comprehensive Plan. Staff forwards a recommendation of approval to the Commission with the conditions as stated in the staff report and any additional conditions you deem necessary. With that, I will stand for any questions. **C/Young:** Okay any questions for staff. **C/Gealy:** I have no questions. **C/Damron:** I do have one for Trevor, I was looking at the aerial view of that, and Ada County said that they have to maintain the irrigation ditches around the property. I couldn't see any on the aerial for the downstream water rights. Are there irrigation ditches on that parcel? **Trevor Kesner:** If there are, I don't know if there are or there aren't, delivery could not be impeded, so if there are any ditches so they will either have to be piped or tiled, but I haven't seen the civil plans for grading or drainage. **C/Damron:** Thanks. **C/Young:** Any other questions for staff? **Trevor Kesner:** Thank you. **C/Young:** Okay thank you. Then I will open up the public testimony at 6:22 and I see Mr. Maile has testified, is there anybody else who has not testified who would like to testify for this application? Okay seeing none, I will close the testimony at 6:24 and that brings up our discussion, any thoughts? **C/Gealy:** Seems pretty straight forward. **C/Young:** It seems connect, and consistent with everything going in there. **C/Damron:** I would like to know if there are irrigation ditches how he plans to, if he is going to tile them and if it is going to be open ditches what the safety for...**C/Young:** Yeah, would the applicant please come forward. **Thomas Maile:** Yes there maybe one drainage ditch that has historically run parallel within ten feet of south sailer place on the properties side and historically that has flooded a portion of the field, but it also goes off to the east, excuse me to the south in a concrete box so conceivably we are going to go in with pipping, maybe an 8 inch or 10-inch pipe

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to handle that waste water that has come across historically on to the property. Then it is gathered in a concrete culvert and dispersed to the west on the property that's not owned by us. I think we will be able to handle what the city engineer is saying and make sure that's accommodated. **C/Damron:** None of those ditches drain down to further properties for water rights for. **Thomas Maile:** No, its waste water, it comes into the property. Any water rights affected by waste water, from what I understand that waste water has gone into Indian Creek to the south. So, if there is any continued waste water it will probably drain in the same area. I don't know if Journey's End is handling the concept of how to get rid of their waste water on their land, I am sure they will. I think we can address it and deal with it, it is not a major issue.

Commissioner Gealy motions to approve Case No. 17-06-DR (Design Review) for Sailer Shores Subdivision #2 with the conditions outlined in the staff report and testimony; Commissioner Damron Seconds, all aye and motion carried 3-0.

Commissioner Gealy motions to recommend approval to City Council Case No. 17-02-S (Subdivision) for Sailer Shores Subdivision #2 with the conditions outlined in the staff report and testimony; Commissioner Damron Seconds, all aye and motion carried 3-0.

- c) **13-04-SUP** modification (Special Use Permit) and **17-04-DR** (Design Review) – Falcon Ridge Public Charter School: A Special Use Permit Modification and Design Review request from Design West Architects, representing the Falcon Ridge Public Charter School to construct a 5,220 square feet (SF) addition to their existing building. The site is located at 278 South Ten Mile Road, Kuna, Idaho (APN#: R5070252300).

Jim Main: Jim Main, 414 SW Sailer Kuna, Idaho. Mr. Chairman, members of the commission first of all I would like to thank the staff for the work they have done on this and helping us to get to this point. Falcon Ridge Public Charter School is requesting approval of the SUP modification for additions to the school and the design review the additions as well. We have a rendering of the building on the screen. The construction materials will be identical to the existing construction and materials on the current school. The building itself will consist of two additions, one to the Northwest and one to the southeast and these additions are program specific additions. So, we've got a designated eating area, a designated music classroom a designated science classroom and a teacher lounge. So, the additions to the project will not add any student load, or any additional teachers. There should be no impact to the sewer or water on the site. The additions are also interior to the site, so the only impacted area should be immediately adjacent to where the additions are. We have met with staff, we have gone over this and had a couple meetings together and I have read the conditions of their approval and as it stands currently we are in agreement with their recommendations and I would be glad to answer any questions. **C/Young:** Okay, are there any questions for the applicant? **C/Damron:** Do you guys have an existing water retention on site now? **Jim Main:** Yes there is water retention for drainage on site. **C/Damron:** Okay that's all I had then. **C/Gealy:** I have no questions. **C/Young:** Thank you and we will have staff come up. **Jace Hellman:** Chairman, commissioners for the record my name is Jace Hellman, Planner I for the City of Kuna 751 W 4th ST. Before we begin, between Thursday and tonight's meeting we met with the applicant to clarify a few minor items, that were of cause for concern for them in the staff report, mostly pertaining to the conditions of approval laid out in the staff report, which are marked in red. So, this version of the staff report will be used for the basis of your decision, not the original that is in your packet. The application before you tonight seeks

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amendment or Modification to the original Special Use Permit and a new Design Review in order to construct two additions totaling 5,220 square feet to their existing building located at 278 South Ten Mile Road. The site is zoned C-2, and has been the home for Falcon Ridge Public Charter School for many years. It was granted the current special use permit in 2013. The applicant is proposing two additions totaling approximately 5,230 additional SQ FT to the existing approximately 20,380 SQ FT building. The applicant indicated that even with these additions, the school will remain a K-8 facility. There will be no increase in student capacity, faculty, traffic etc. The additions will add a dedicated science classroom, music classroom and eating area so that these functions do not have to take place in the regular classrooms. The site is currently zoned Area Commercial District (C-2) and these proposed additions require a modification or amendment of the Special Use Permit that was granted, as well as a Design Review for the new additions to the building. Staff has determined that this application complies with Title 5 of Kuna City Code; and the Kuna Comprehensive Plan; and forwards a recommendation of approval for Case No.'s 13-04-SUP & 17-04-DR, subject to the recommended conditions of approval. One last note, curb and gutter for the site, was recommended originally in 2013, but never required in the original conditions of approval for this SUP. ACHD has issued comments for the project and will not require curb and gutter. The planning and zoning department will follow the road authorities lead and not require installation of curb and gutter at this time. Based on research by the applicant, there is also a financial factor, in which if curb and gutter is a requirement, this project could become financially harmful to the applicant. I will now stand for any questions. **C/Young:** Okay are there any questions for staff. **C/Gealy:** I have no questions. **C/Damron:** I have no questions. **C/Young:** Thank you. I will go ahead and open up the public testimony at 6:31 and I have listed Carl Able, if you would come forward and state your name and address for the record. **Carl Able:** Good evening sirs and mam. 2284 N Starhawk Ave. I am in favor of this from the stand point of this city is in need of it as far as we are pushing for STEM, Science Technology and the fact that they are getting their own science room is a huge plus, I've had three of my kids in this school for the last three years and I can't tell you how much this school has done so I am totally in favor of this. Thank you. **C/Young:** Okay thank you very much. Next I have listed Mark Green. **Mark Green:** Commissioners, Mark Green, 931 E Pine Ave, Meridian Idaho 83642. I am the Charter administrator for Falcon Ridge Charter and Obviously, I am in favor, but I just wanted to make myself available for any questions if you have any. **C/Gealy:** Thank you. **C/Young:** Okay, any questions? No? Thank you. Next I have listed is Erica Kallin. **Eric Kallin:** 929 S Jump Rope Place. I am the chair women of the falcon ridge charter school board. I wanted to come in and kind of give you an idea of what our school is and why it is important to us. We are a school of choice, which means that parents apply for their children to attend our school, but unlike the rest of the Kuna schools we don't benefit from the school levy's. All of our funding comes from the state, so we have to be very fiscally responsible in order to do things like an expansion, when we first put our school together and built our school, we did the best we could with the money we had, but we knew that it wasn't going to be enough. We have a wonderful music program, our music director put it together beauty and the beast and it was wonderful. We have a great science program, we have started pushing STEM and future city in our school. Right now, our kids eat in the gym that where they have to eat, so they have to tear it down every day so that the kids can still use the gym for the gym purposes. This really gives the kids an opportunity to excel. We pride ourselves on being an anti-bullying school and we pride ourselves on our students pushing our students to break that glass ceiling and to accomplish and achieve more and we pride ourselves on our students being the pride of Kuna. So, this is something that will allow our students to continue to get the best education possible and to really make the city proud. I will stand for questions

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if you have any. **C/Young:** Okay is there anybody who is not signed up that would like to testify on this application. Is there anything the applicant would like to add to what anybody has said, if not then...**Jim Main:** one that I may, regarding the curb and gutter that was recommended for the project, as it stands that you've heard that the school is not funded the way that the public schools are funded. They have to go out and procure loans for this and right now they are working through Zion's Bank and the USDA to procure the Funding for this and therefore they have to pay it back. They can't just pass a bond, and you and I would basically just have our taxes pay for it. The curb and gutter, it is kind of a snowball effect. Right now, Ada County does not know if they are going to put in a roundabout at that location. The last project we dedicated 48 feet of right of way to ACHD for future improvement. To install curb and gutter, it is kind of funny because ACHD is not requiring curb and gutter, the City Engineer kind of recommended curb and gutter, so if the city recommends it. Then ACHD says now that's its recommended by the city you are going to have to follow our guidelines, which means not only curb and gutter, it's a 48-foot section of road way Avalon and Ten Mile, its drainage systems, and it is also moving overhead powerlines. So, we have done some quick numbers, and this is right around a million-dollar project for Falcon Ridge. The improvements that would be required by requiring curb and gutter would come in around at 300 to 400 thousand dollars, so at that point it would basically kill the project and with that I would be glad to answer any questions. **C/Young:** Okay. **C/Damron:** No questions. **C/Young:** okay thank you. Then I will go ahead and close the public testimony at 6:37. So, that brings up our discussion. **C/Damron:** Looking at it, it doesn't increase they footprint very much, they are using the existing inlets just at the end of that building so I don't see any issues. **C/Gealy:** yeah it looks straightforward. **C/Young:** the modifications to the elevations along the design review side. All the finishes match. There are not large expansions, I don't see any issues there either. **C/Damron:** I like the façade of the building matches the rest of the building, I am pretty happy with that.

Commissioner Gealy motions to approve Case No. 13-04-SUP (special Use Permit) modification and 17-04-DR (Design Review) for Falcon Ridge Public Charter School with the conditions outlined in the staff report and testimony; Commissioner Damron Seconds, all aye and motion carried 3-0.

- d) **17-02-ZC (Rezone)** – Darius Elison, One Call Restoration: A request to rezone a parcel's current R-6 (Medium-Density Residential) zoning designation to a C-2 (Area Commercial District) zoning designation. The site is located at 315 East Avalon St., Kuna, Idaho (APN#: R9442000081).

Darius Elison: Darius Elison 11381 Gila Drive in Kuna and we are just trying to take that lot that has been sitting empty and make that apart of the city and rezone it to commercial use. It is just sad, it is such a beautiful lot and it has just been a weed farm for years. Ever since they took down that little shop down there. So, that's what we are trying to do. **C/Young:** What kind of restoration do you do? **Darius Elison:** Water, flood, fire. It will be 8 to 5 Monday through Friday. We are just going to put a shop with an office out front, we are going to put sidewalk through, as recommended by ACHD as well as asphalt the entry. We are going to use everything else existing on the lot. We are going to go with planning and zoning to figure out the exact location of the building but we just want to get a somewhere out front and use the back property for future use. Probably build something else later on. **C/Gealy:** would you anticipate storing any property that might belong to a customer on your property? **Darius Elison:** possibly, yes. So,

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the first building we are going to build is just going to be our shop and warehouse. There is going to be a section for O-zone, for treatment for people's content with fire damage, so in that case we store in on site. But very little of it, it is usually just for the treatment and once it goes through treatment and we are waiting for the house to be rebuilt, during the building process they will be stored somewhere else.

C/Gealy: So, it wouldn't be long term storage. **Darius Elison:** No. Very short term, while their stuff goes through the treatment process is all. **C/Gealy:** Would be stored then in trailers outside? **Darius Elison:** We

bring it into the trailer and we bring it into the shop and we will have a O-Zone room setup, where its contained and has the right air situation going on and we bring it in there, and we treat it and get the smell off and we take it either back to the house to their Onsite storage at their place or another storage facility that will be for long term that we keep it in. **C/Young:** Do any of your processes create any fumes

or large amounts of particulates, or odors or anything like that. **Darius Elison:** No, the only thing we are doing on site is just O-Zone treatment, everything else is done at the home or business that we are working on. The O-Zone is literally not going to affect anything. It smells like copper penny when you're in the

room and it will make you a little woozy, but that's we put proper ventilation in there and it's a pretty simple process. Right now, it's a good opportunity. Right now, there's not a restoration company located in Kuna, we try and hire locally, our kids go to local schools and we are growing. We are the fastest growing

restoration company in the state, and we are going to be the first company that is master certified we are going to be, as of next march, we are going to be the first and only company, closest to Portland, who has a certified carpet inspector. We do everything the right way so, we are proud of our business. This will be

our second location so we are excited to get it open. **C/Young:** Okay are there any other questions for the applicant at this time, alright thank you. **Jace Hellman:** Chairman, commissioners for the record my name is Jace Hellman, Planner I for the City of Kuna 751 W 4th ST. The application before you tonight is seeking

a rezone from R-6 to C-2. As reflected in the staff report, the applicant is proposing a zone change in hopes of eventually building an office and a shop, for their business on the approximately 0.97-acre lot located at 315 East Avalon Street. The site is identified as Medium-Density residential on Kuna's Comprehensive

Plan Future Land Use Map. The Comprehensive Plan is a living document and Staff views this proposed land use request, although it does not match the approved Comprehensive Plan Future Land Use Map Designation, to be compatible and consistent with adjacent uses and zoning designations. The rezone to

a commercial use also aligns with the vision for downtown as described in the Kuna Downtown Revitalization Plan. The applicant's intention is to remove the existing storage shed and build a new shop and office for his business. The described land use falls under the category of "shop for a building

contractor", which is outright permitted under the applicants requested zoning designation of C-2 (Area Commercial District). Staff has determined that the applicant has submitted all the necessary document, and this application complies with Kuna City Code, specifically Title 5; and fits the current adjacent

commercial zoning designations. Staff recommends a recommendation of approval from the commission for Case # 17-02-ZC, subject to the recommended conditions of approval listed in Section 'L' of the Staff report. I will now stand for any questions. **C/Young:** Okay any questions for staff? **C/Gealy:** I do have one

question and that's in respect to the green belt, I have not been back there so I don't know, but is there sufficient space between this property and the creek for a green belt path down there. **Jace Hellman:** I have not been back there yet, maybe the applicant could explain. **Darius Elison:** The green belt already

goes through there. The property line ends and then there's about 10 FT of weeds and then it hits the green belt, they just planted all those trees, it's about 100 feet from the actual creek. **C/Gealy:** That's the way it looks. From the map, here it looks like there is plenty of space. But, I would expect that there would

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be no public access through this property to the green belt. Public access would than occur, I would expect along the roads. **Jace Hellman:** yes, I would assume along the roads, or at a further distance down, I don't think they grant a public access easement through the property. **C/Gealy:** It's probably not a good idea. **C/Damron:** No questions. **C/Young:** Thank you. Then I will go ahead and open the public testimony at 6:46 and seeing no one else in the room I will go ahead and close it at 6:47, and that brings up our end. **C/Gealy:** It seems appropriate to me, the rezone seems appropriate, given the neighborhood and the location of the property. **C/Young:** I agree.

Commissioner Damron motions to recommend approval Case No. 17-02-ZC (Rezone) for Darius Elison, One Call Restoration with the conditions outlined in the staff report and testimony; Commissioner Gealy Seconds, all aye and motion carried 3-0.

3. COMMISSION DISCUSSION AND REPORTS

4. ADJOURNMENT

Commissioner Gealy motions to adjourn; Commissioner Damron Seconds, all aye and motion carried 3-0.



Dana Hennis, Vice-Chairman
Kuna Planning and Zoning Commission

ATTEST:



Wendy I. Howell, Planning and Zoning Director
Kuna Planning and Zoning Department